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OFFICE OF PETITIONS

In re Application of

Zamel, et al.

Application No. 10/602,057

Filed: June 23, 2003

Attorney Docket No. 47080-00045USPT

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DECISION ON PETITION

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This is a decision on the petition under 37 CFR 1.181(a) to withdraw the holding of abandonment, filed August 2, 2006.

The petition under 37 CFR 1.181(a) to withdraw the holding of abandonment is **granted**.

This application was held abandoned on March 28, 2006, after it was believed that no response was received to the non-final Office action mailed December 27, 2005. The non-final Office action allowed a period for reply of three months from its mailing date. Extensions of the time set for reply were available pursuant to 37 CFR 1.136(a). A Notice of Abandonment was mailed on July 12, 2006, indicating that a reply to the non-final Office action was not received.

The instant petition maintains that an amendment responsive to the non-final Office action was mailed on December 27, 2005. A copy of the amendment containing a certificate of mailing dated March 23, 2006, accompanied the petition.

Based on the aforementioned, it appears that the application was improperly held abandoned as a proper response was mailed prior to expiration of the shortened statutory period for reply. The holding of abandonment is withdrawn, accordingly. No petition fee is due.

The application file is being forwarded Technology Center 2800, GAU 2828, for further processing including entry of the copy of the amendment filed August 2, 2006.

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